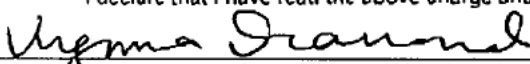


<b>UNITED STATES OF AMERICA</b> <b>NATIONAL LABOR RELATIONS BOARD</b> <b>CHARGE AGAINST EMPLOYER</b>		<b>DO NOT WRITE IN THIS SPACE</b> Case <b>OS-CA-138048</b> Date Filed <b>10/2/2014</b>	
<b>INSTRUCTIONS.</b> File an original and 4 copies of this charge with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.			
<b>1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT</b>			
<b>a. Name of Employer</b> Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers		<b>b. Number of workers employed</b> 100	
<b>c. Address</b>  2011 Chamberlayne Ave Richmond, VA 23222  McDonald's Corp; 2111 McDonald's Dr. Oak Brook, IL 60523	<b>d. Employer Representative</b>  Holeman Enterprises: (b) (6), (b) (7)(C) McDonald's: Gloria Santona	<b>e. Telephone No.</b> Holeman Enterprises: (804) 321-3405	
<b>f. Type of Establishment</b> Restaurant	<b>g. Identify principal product or service</b> Food Service		
<b>h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (3) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.</b>			
<b>2. BASIS OF THE CHARGE (Set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)</b>  On a date within the last six months, employer has interfered with and discriminated against employees in the exercise of their Section 7 rights in violation of Sections 8(a)(1) and (3) of the Act by engaging in the following conduct:  -reducing the hours and days of employee (b) (6), (b) (7)(C), by way of early dismissal, in retaliation for participating in the September 4th nationwide fast food strikes;  -disparately disciplining (b) (6), (b) (7)(C) in retaliation for participating in the September 4th nationwide fast food strikes.			
<b>3. Full name of party filing charge (if labor organization, give full name, including local name and number)</b> Southern Workers Organizing Committee			
<b>4a. Address (street and number, city, state, and ZIP code)</b>  314 S. Wilmington St., Suite 207 Raleigh, NC 27601		<b>4b. Telephone No.</b> (b) (6), (b) (7)(C)	
<b>5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)</b>			
<b>6. DECLARATION</b> I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.			
 (Signature of representative or person making charge)		Attorney _____ (Title if any)	
Address <u>Ashcraft &amp; Gerel LLP 4900 Seminary Road, Suite 650 Alexandria, VA 22311</u>		<u>(703)931-5500</u>	
(Date) <u>10/2/14</u>		(Telephone No.)	
<b>WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)</b>			

# CHARGE ASSIGNMENT SHEET (EMPLOYER)

Case No.: 05- ca 138048 CASE NAME: Hkmen Enterprises d/b/k McDonalds  
& McDonald's Corpes Joint and Single Employees

DATE FILED: 10/2/14 CATEGORY:  
☐ I ☐ II ☒ III

Potential 10(j) no 8(a)(2) (indicated name of union): # discriminates 8(a)(3): 1 # of Employees (if not currently on charge) 100

IO charge? Yes: ☐ No: ☒

Dispute City: Richmond

Dispute State: VA

HOT TOPIC? Yes: ☒ No: ☐

Barg Status:

FAST FOOD

- ☐ Existing Contract  
☒ None  
☐ Organizational Campaign  
☐ Seeking Initial Contract  
☐ Seeking Successor Contract

COMMENTS:

SUPERVISOR: Marshall

AGENT: C. Coe

8(a)(1)

- ☐ Coercive Actions (Surveillance, etc)  
☐ Coercive Rules  
☐ Coercive Statements (Threats, Promises of Benefits, etc.)  
☒ Concerted Activities (Retaliation, Discharge, Discipline)  
☐ Denial of Access  
☐ Discharge of supervisor (Parker-Robb Chevrolet)  
☐ Interrogation (including Polling)  
☐ Lawsuits  
☐ Weingarten

8(a)(4)

- ☐ Changes in Terms and Conditions of Employment  
☐ Discharge (including Layoff and Refusal to Hire)  
☐ Discipline  
☐ Refusal to Reinstate Employee/Striker  
☐ Shutdown or Relocate/ Subcontract Unit Work

8(a)(2)

- ☐ Assistance  
☐ Domination  
☐ Unlawful Recognition

8(a)(5)

- ☐ Alter Ego  
☐ Failure to Sign Agreement  
☐ Refusal to Bargain/Bad Faith Bargaining (including surface bargaining/direct dealing)  
☐ Refusal to Furnish Information  
☐ Refusal to Hire Majority  
☐ Refusal to Recognize  
☐ Repudiation/Modification of Contract[Sec 8(d)/Unilateral Changes  
☐ Shutdown or Relocate (e.g. First National Maintenance).Subcontract Work

8(a)(3)

- ☒ Changes in Terms and Conditions of Employment  
☐ Discharge (Including Layoff and Refusal to Hire (not salting))  
☒ Discipline  
☐ Lockout  
☐ Refusal to Consider/Hire Applicant (salting only)  
☐ Refusal to Reinstate Employee/Striker (e.g. Laidlaw)  
☐ Retaliatory Lawsuit  
☐ Shutdown or Relocate/ Subcontract Unit Work  
☐ Union Security Related Actions

8(e)

- ☐ All Allegations against a Labor Organization  
☐ All Allegations against an Employer

Proofed By ag 10/2/14

1-1166019253



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198



Download  
NLRB  
Mobile App

October 3, 2014

**(b) (6), (b) (7)(C)**

Holeman Enterprises  
2011 Chamberlayne Avenue  
Richmond, VA 23222

Re: Holeman Enterprises d/b/a McDonald's &  
McDonald's Corp. as Joint and Single  
Employers  
Case 05-CA-138048

Dear **(b) (6), (b) (7)(C)**:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney Cristina M. Cora whose telephone number is (410) 962-2811. If this Board agent is not available, you may contact Supervisory Field Attorney Sean R. Marshall whose telephone number is (410) 962-2785.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

October 3, 2014

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

**Procedures:** We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, [www.nlr.gov](http://www.nlr.gov). However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

October 3, 2014

We can provide assistance for persons with limited English proficiency or disability.  
Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in cursive script, reading "Charles L. Posner".

Charles L. Posner  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

cc: Ms. Gloria Santona  
McDonald's Corp.  
2111 McDonald's Drive  
Oak Brook, IL 60523

Revised 3/21/2011

## NATIONAL LABOR RELATIONS BOARD

**QUESTIONNAIRE ON COMMERCE INFORMATION**

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

**CASE NAME**

Holeman Enterprises d/b/a McDonald's &amp; McDonald's Corp. as Joint and Single Employers

**CASE NUMBER**

05-CA-138048

**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify )**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

**4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS****5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

**9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates )****YES NO**A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.  
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.  
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.  
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)  
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. **Did you begin operations within the last 12 months?** If yes, specify date: \_\_\_\_\_**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

**12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE**

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**HOLEMAN ENTERPRISES D/B/A  
MCDONALD'S & MCDONALD'S CORP. AS  
JOINT AND SINGLE EMPLOYERS**

Charged Party

and

**SOUTHERN WORKERS ORGANIZING  
COMMITTEE**

Charging Party

**Case 05-CA-138048**

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, state under oath that on October 3, 2014, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

**(b) (6), (b) (7)(C)**

Holeman Enterprises  
2011 Chamberlayne Avenue  
Richmond, VA 23222

Ms. Gloria Santona  
McDonald's Corp.  
2111 McDonald's Drive  
Oak Brook, IL 60523

October 3, 2014

Date

David Smith, Designated Agent of NLRB

Name

***/s/ David Smith***

Signature



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198



Download  
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Mobile App

October 3, 2014

**(b) (6), (b) (7)(C)**

Southern Workers Organizing Committee  
314 South Wilmington Street, Suite 207  
Raleigh, NC 27601

Re: Holeman Enterprises d/b/a McDonald's &  
McDonald's Corp. as Joint and Single  
Employers  
Case 05-CA-138048

Dear **(b) (6), (b) (7)(C)**

The charge that you filed in this case on October 02, 2014 has been docketed as case number 05-CA-138048. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney Cristina M. Cora whose telephone number is (410) 962-2811. If this Board agent is not available, you may contact Supervisory Field Attorney Sean R. Marshall whose telephone number is (410) 962-2785.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you



October 3, 2014

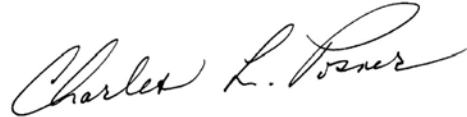
fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Procedures:** We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website [www.nlr.gov](http://www.nlr.gov). However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website [www.nlr.gov](http://www.nlr.gov) or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, reading "Charles L. Posner". The signature is fluid and cursive, with the first name "Charles" being more prominent and the last name "Posner" written in a slightly smaller, more compact script.

Charles L. Posner  
Regional Director

Enclosure: Copy of Charge

**From:** [Cora, Cristina M.](#)  
**To:** ["sharoncohen@jonesday.com"](mailto:sharoncohen@jonesday.com)  
**Subject:** Holeman Enterprises 05-CA-138048  
**Date:** Monday, October 6, 2014 2:44:56 PM  
**Attachments:** [CHG.05-CA-138048.Signed Charge Against Employer.pdf](#)  
[DCK.05-CA-138048.Letter to Employer in CA case - Copy.pdf](#)

---

Dear Ms. Cohen,

As per your request, attached please find a copy of the charge and a letter to the Charged Party.

If you need anything else, or have any questions or concerns, please do not hesitate to contact me.

Best regards,

Cristina M. Cora  
Board Agent  
National Labor Relations Board, Region 5  
Bank of America Center, Tower II  
100 South Charles Street, Suite 600  
Baltimore MD, 21201  
Tel: (410) 962-2811  
Fax: (410) 962-2198

**From:** [Lauren Bonds](#)  
**To:** [Cora, Cristina M.](#)  
**Subject:** Re: Holeman 05-CA-138048  
**Date:** Tuesday, October 14, 2014 4:34:03 PM

---

Hello Ms. Cora,

Unfortunately I was unable to get in touch with (b) (6), (b) (7)(C) I will plan for next week and start reaching out to (b) (6), (b) (7)(C) now.

Best.

Lauren

On Tue, Oct 14, 2014 at 4:21 PM, Cora, Cristina M. <[Cristina.Cora@nlrb.gov](mailto:Cristina.Cora@nlrb.gov)> wrote:

Dear Ms. Bonds,

This e-mail is confirm that I will not be meeting with the witnesses tomorrow, October 15. Please let me know if (b) (6), (b) (7)(C) will be available (b) (6), (b) (7)(C) .

Thank you,

Cristina M. Cora

Board Agent

National Labor Relations Board, Region 5

Bank of America Center, Tower II

100 South Charles Street, Suite 600

Baltimore MD, 21201

Tel: [\(410\) 962-2811](tel:(410)962-2811)

Fax: [\(410\) 962-2198](tel:(410)962-2198)

---

**From:** Lauren Bonds [mailto:[lauren.bonds@seiu.org](mailto:lauren.bonds@seiu.org)]  
**Sent:** Tuesday, October 14, 2014 10:22 AM

**To:** Cora, Cristina M.  
**Subject:** Re: Holeman 05-CA-138048

I apologize.

(b) (6), (b) (7)(C)

On Tue, Oct 14, 2014 at 10:19 AM, Cora, Cristina M. <[Cristina.Cora@nlrb.gov](mailto:Cristina.Cora@nlrb.gov)> wrote:

Thank you Ms. Bonds. (b) (6), (b) (7)(C) number is incorrect, can you please re-send me (b) (6), (b) (7)(C) number?

---

**From:** Lauren Bonds [mailto:[lauren.bonds@seiu.org](mailto:lauren.bonds@seiu.org)]  
**Sent:** Tuesday, October 14, 2014 10:14 AM  
**To:** Cora, Cristina M.  
**Subject:** Re: Holeman 05-CA-138048

This office is available for your use all day tomorrow.

On Tue, Oct 14, 2014 at 9:42 AM, Lauren Bonds <[lauren.bonds@seiu.org](mailto:lauren.bonds@seiu.org)> wrote:

Hi Ms. Cora,

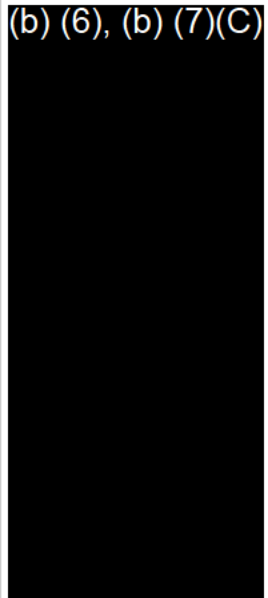
Contact information and proposed meeting place are below. Best, Lauren

SEIU 512 Office

1716 Franklin Street, Suite 200

Richmond, VA

(b) (6), (b) (7)(C)




On Tue, Oct 14, 2014 at 9:18 AM, Lauren Bonds <[lauren.bonds@seiu.org](mailto:lauren.bonds@seiu.org)> wrote:

Hi Cristina,

Sorry for any confusion. You can reach me at [202-730-7149](tel:202-730-7149). I will also try you again later.

(b) (6), (b) (7)(C) can meet with you (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



Thanks

Lauren

On Tue, Oct 14, 2014 at 9:06 AM, Cora, Cristina M. <[Cristina.Cora@nlrb.gov](mailto:Cristina.Cora@nlrb.gov)> wrote:

Dear Ms. Bonds,

I hope all is well. I tried to call you today and it appears I have a wrong phone number. Please call me as soon as possible to confirm the dates for the affidavits.

Thank you,

Cristina M. Cora

Board Agent

National Labor Relations Board, Region 5

Bank of America Center, Tower II

100 South Charles Street, Suite 600

Baltimore MD, 21201

Tel: [\(410\) 962-2811](tel:(410)962-2811)

Fax: [\(410\) 962-2198](tel:(410)962-2198)

--

Lauren Bonds

Law Fellow

Service Employees International Union

--

Lauren Bonds

Law Fellow

Service Employees International Union

--

Lauren Bonds

Law Fellow

Service Employees International Union

--

Lauren Bonds

Law Fellow

Service Employees International Union

--

Lauren Bonds

Law Fellow

Service Employees International Union

**From:** [Virginia Diamond](#)  
**To:** [Cora, Cristina M.](#)  
**Subject:** RE: Holeman Enterprises 05-CA-138048  
**Date:** Friday, October 17, 2014 9:28:26 AM

---

Thank you very much. I do not need to be present.

Best,

Virginia Diamond

---

**From:** Cora, Cristina M. [Cristina.Cora@nlrb.gov]  
**Sent:** Friday, October 17, 2014 8:26 AM  
**To:** Virginia Diamond  
**Subject:** RE: Holeman Enterprises 05-CA-138048

Thank you Ms. Diamond. I spoke to Ms. Bonds and I set up appointments to meet with (b) (6), (b) (7)(C) [REDACTED]. Is this okay with you, and would you like to be present? I hope to meet with (b) (6), (b) (7)(C) [REDACTED]. Please let me know.

Best regards,

Cristina M. Cora  
Board Agent  
National Labor Relations Board, Region 5  
Bank of America Center, Tower II  
100 South Charles Street, Suite 600  
Baltimore MD, 21201  
Tel: (410) 962-2811  
Fax: (410) 962-2198

---

**From:** Virginia Diamond [mailto:vdiamond@ashcraftlaw.com]  
**Sent:** Thursday, October 16, 2014 8:55 PM  
**To:** Cora, Cristina M.  
**Cc:** lauren.bonds@seiu.org  
**Subject:** RE: Holeman Enterprises 05-CA-138048

Dear Ms. Cora,

Ms. Bonds and I are both working on the above-referenced charge. You may communicate with her directly and please keep me listed on your participant list.

Thank you.

Virginia Diamond

---

**From:** Cora, Cristina M. [Cristina.Cora@nlrb.gov]  
**Sent:** Thursday, October 16, 2014 12:30 PM



**To:** Virginia Diamond  
**Subject:** Holeman Enterprises 05-CA-138048

Dear Ms. Diamond:

Pursuant to our conversation today, I just wanted to confirm that Ms. Lauren Bonds from SEIU will be handling the above referenced charge, and that I may direct all communications to her. I also wanted to clarify whether you represent (b) (6), (b) (7)(C) or if you are working with SEIU. Please let me know if I should keep you listed on our participant list so that you may also receive copies of any letters or documents. I would really appreciate it.

Thank you,

Cristina M. Cora  
Board Agent  
National Labor Relations Board, Region 5  
Bank of America Center, Tower II  
100 South Charles Street, Suite 600  
Baltimore MD, 21201  
Tel: (410) 962-2811  
Fax: (410) 962-2198

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**CONFIDENTIALITY NOTICE:** This e-mail message, including any attachments, may contain confidential and privileged information, either as protected attorney work product or confidential client information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

**From:** [Cora, Cristina M.](#)  
**To:** ["Virginia Diamond"; "Lauren Bonds"](#)  
**Subject:** Holeman 05-CA-138048 Affidavit Appointments  
**Date:** Friday, October 17, 2014 10:06:33 AM  
**Attachments:** [Appointment Letter-Holeman.pdf](#)

---

Dear Ms. Bonds and Ms. Diamond,

I hope all is well. Please see attached letter regarding the appointment times for (b) (6), (b) (7)(C)

[REDACTED]

If you have any questions or concerns, please do not hesitate to contact me.

Cristina M. Cora  
Field Attorney  
National Labor Relations Board, Region 5  
Bank of America Center, Tower II  
100 South Charles Street, Suite 600  
Baltimore MD, 21201  
Tel: (410) 962-2811  
Fax: (410) 962-2198



United States Government

**NATIONAL LABOR RELATIONS BOARD**

Region 5

Bank of America Center, Tower II

100 S. Charles Street. 6<sup>th</sup> Floor

Baltimore, MD 21201

**Cristina M. Cora**

Telephone: (410) 962-2811

Facsimile: (410) 962-2198

October 17, 2014

Ms. Lauren Bonds  
Law Fellow  
SEIU 512 Office  
1716 Franklin Street, Suite 200  
Richmond, VA 15905

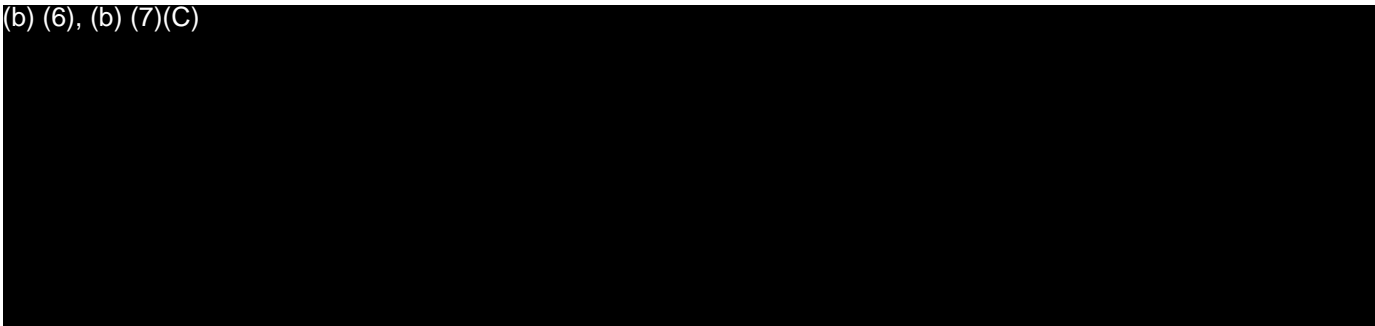
Ms. Virginia Diamond, Esq.  
Ashcraft & Gretel LLP  
4900 Seminary Road, Suite 650  
Alexandra, VA 22311

Re: Holeman Enterprises  
Case 05-CA-138048

**By e-mail only to [vdiamond@ashcraftlaw.com](mailto:vdiamond@ashcraftlaw.com) and [lauren.bonds@seiu.org](mailto:lauren.bonds@seiu.org)**

Dear Ms. Bonds and Ms Diamond:

(b) (6), (b) (7)(C)



Please advise (b) (6), (b) (7)(C) to bring with them all documents and materials that they have which may be relevant to the case, such as letters, notes, contracts, any disciplinary records, etc.

If they fail to appear as scheduled, and do not notify me before missing their appointments, this office will assume you are not interested in proceeding with this matter and do not intend to cooperate. This will result in dismissal of your case with no further investigation by this Agency.

Thank you for your cooperation.

Very truly yours,

*Cristina Cora*

Cristina M. Cora  
Field Attorney

**From:** [Lauren Bonds](#)  
**To:** [Cora, Cristina M.](#)  
**Subject:** Canceling (b) (6), (b) (7)(C) Affidavits  
**Date:** Wednesday, October 22, 2014 2:04:18 AM

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Hi Ms. Cora,

Sorry to cancel at the last minute but I just heard from (b) (6), (b) (7) and (b) (6) has cold feet. (b) (6), (b) (6) no longer wants to proceed with the case. We would also like to withdraw the charge. The organizers and I were unable to convince (b) (6) to continue.

I apologize for any inconvenience and letting you know so late. Please call me at 202-251-6699 if you have any questions.

Thanks

Lauren

--

Lauren Bonds  
Law Fellow  
Service Employees International Union

**From:** [Dunham, Geoffrey](#)  
**To:** [Marshall, Sean R.](#)  
**Cc:** [Tursell, Beth](#)  
**Subject:** FW: Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers, 05-CA-138048  
**Date:** Friday, October 31, 2014 9:37:34 AM

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Sean, OK to process withdrawal. Please let me know if and when a new charge is filed. Thanks,  
Geoff

---

**From:** Marshall, Sean R.  
**Sent:** Thursday, October 23, 2014 1:14 PM  
**To:** Dunham, Geoffrey  
**Subject:** Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers, 05-CA-138048

Mr. Dunham,

I am a Supervisory Field Attorney in Baltimore, MD (R-5). One of the attorneys on my team, Cristina Cora, has been assigned to a case involving McDonald's. The full case name and number are in the subject line of this e-mail. The Charging Party (b) (5)

(b) (5) has requested to withdraw their charge. (b) (5)

(b) (5) We are recommending approving the withdrawal request, and I was instructed to contact you. Thanks in advance for your assistance.

--Sean

Sean R. Marshall  
National Labor Relations Board, Region Five  
Bank of America Center, Tower Two  
100 S. Charles Street  
Baltimore, MD 21201  
Tel: (410) 962-2785  
Fax: (410) 962-2198

**MEMORANDUM**

TO: File DATE: October 6, 2014



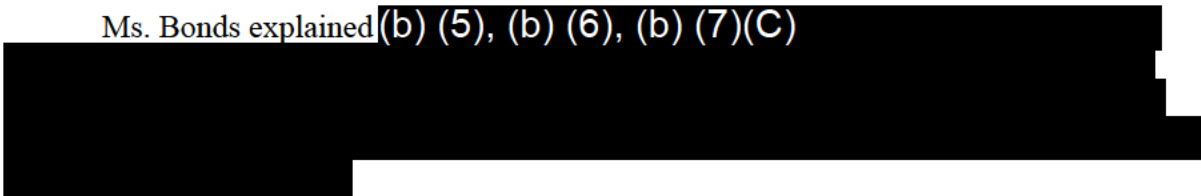
RE: Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers  
Case 05-CA-138048

FROM: Cristina M. Cora, FIELD ATTORNEY

**CONVERSATION WITH LAUREN BONDS**

I left a message for Ms. Virginia Diamond, who filed the charge on behalf of Charging Party. Ms. Bonds called me back and said she works with SEIU and Virginia and that she will be handling the matter. I told her that she needs to send me an email to that effect or file a notice of appearance.

Ms. Bonds explained (b) (5), (b) (6), (b) (7)(C)



Lauren Bonds cell phone is 202-251-6691 and her email is [lauren.bonds@seiu.org](mailto:lauren.bonds@seiu.org).

**From:** [Giannasi, Andrew](#)  
**To:** [Clark, Cathy D.](#); [Chambers, John](#)  
**Subject:** Letters Issued Case 05-CA-138048  
**Date:** Tuesday, November 4, 2014 11:22:00 AM

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Letters Issued 11/4/14

Andrew Giannasi  
Automation Staff Assistant  
NLRB, Region 5  
(410) 962-2923

---

**From:** Marshall, Sean R.  
**Sent:** Tuesday, November 04, 2014 11:15 AM  
**To:** Wilkins, Charlene E.  
**Cc:** Shuster, Steven L.; Chambers, John; Giannasi, Andrew  
**Subject:** RE: Disposition Chain WITHDRAWAL, Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers, Case 05-CA-138048

Approved

---

**From:** Wilkins, Charlene E.  
**Sent:** Tuesday, November 04, 2014 8:41 AM  
**To:** Marshall, Sean R.  
**Cc:** Shuster, Steven L.; Chambers, John; Giannasi, Andrew  
**Subject:** FW: Disposition Chain WITHDRAWAL, Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers, Case 05-CA-138048  
**Importance:** High

Withdrawal letter is ready for final approval.

---

**From:** Giannasi, Andrew  
**Sent:** Tuesday, November 04, 2014 8:12 AM  
**To:** Wilkins, Charlene E.  
**Subject:** FW: Disposition Chain WITHDRAWAL, Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers, Case 05-CA-138048

Hi Charlene,

The w/d is in NxGen for approval. Thanks,

Andrew Giannasi  
Automation Staff Assistant  
NLRB, Region 5  
(410) 962-2923

---

**From:** Graham, Sydonie  
**Sent:** Tuesday, November 04, 2014 8:10 AM  
**To:** Giannasi, Andrew  
**Subject:** RE: Disposition Chain WITHDRAWAL, Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers, Case 05-CA-138048

I don't know if this was proofed yesterday or not, I just proofed it. Please change the date to the 4th and you may submit for approval.

Doni

---



**From:** Giannasi, Andrew

**Sent:** Monday, November 03, 2014 2:38 PM

**To:** Graham, Sydonie

**Subject:** FW: Disposition Chain WITHDRAWAL, Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers, Case 05-CA-138048

**Importance:** High

Hi Doni,

Can you please proof this [w/d in NxGen](#)? I am bringing you the envelopes. Thanks,

Andrew Giannasi  
Automation Staff Assistant  
NLRB, Region 5  
(410) 962-2923

---

**From:** Clark, Cathy D.

**Sent:** Monday, November 03, 2014 2:00 PM

**To:** Giannasi, Andrew

**Cc:** Wilkins, Charlene E.; Chambers, John

**Subject:** FW: Disposition Chain WITHDRAWAL, Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers, Case 05-CA-138048

**Importance:** High

Hi Andrew,

W/d for processing.

Cathy

---

**From:** Chambers, John

**Sent:** Monday, November 03, 2014 12:35 PM

**To:** Clark, Cathy D.

**Subject:** FW: Disposition Chain WITHDRAWAL, Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers, Case 05-CA-138048

**Importance:** High

For Andrew!

Cheers!

John M. Chambers  
Office Manager  
National Labor Relations Board, Region 5  
(410) 962-1712

---

**From:** Wilkins, Charlene E.

**Sent:** Monday, November 03, 2014 11:43 AM

**To:** Chambers, John

**Cc:** Shuster, Steven L.

**Subject:** FW: Disposition Chain WITHDRAWAL, Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers, Case 05-CA-138048

**Importance:** High

Withdrawal is ready to be processed.

---

**From:** Shuster, Steven L.  
**Sent:** Friday, October 31, 2014 1:53 PM  
**To:** Wilkins, Charlene E.  
**Cc:** Marshall, Sean R.  
**Subject:** Fwd: Disposition Chain WITHDRAWAL, Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers, Case 05-CA-138048

This w/ d is approved and ready for processing.

Sent from my iPhone

Begin forwarded message:

**From:** "Marshall, Sean R." <[Sean.Marshall@nlrb.gov](mailto:Sean.Marshall@nlrb.gov)>  
**Date:** October 31, 2014 at 1:48:33 PM EDT  
**To:** "Shuster, Steven L." <[Steven.Shuster@nlrb.gov](mailto:Steven.Shuster@nlrb.gov)>  
**Subject:** RE: Disposition Chain WITHDRAWAL, Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers, Case 05-CA-138048

I have received a green-light from Geoff Dunham to process the withdrawal request. I have uploaded that e-mail into NxGen.

---

**From:** Shuster, Steven L.  
**Sent:** Thursday, October 23, 2014 12:16 PM  
**To:** Marshall, Sean R.  
**Subject:** RE: Disposition Chain WITHDRAWAL, Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers, Case 05-CA-138048

You. You can check with Nathan or Mark as to who to contact as they handled the last 2 cases.

---

**From:** Marshall, Sean R.  
**Sent:** Thursday, October 23, 2014 11:11 AM  
**To:** Shuster, Steven L.  
**Subject:** RE: Disposition Chain WITHDRAWAL, Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers, Case 05-CA-138048

Charles, me, or Cristina?

---

**From:** Shuster, Steven L.  
**Sent:** Thursday, October 23, 2014 11:04 AM  
**To:** Marshall, Sean R.  
**Subject:** RE: Disposition Chain WITHDRAWAL, Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers, Case 05-CA-138048

Must contact Region2

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**From:** Marshall, Sean R.  
**Sent:** Thursday, October 23, 2014 10:53 AM  
**To:** Shuster, Steven L.  
**Subject:** FW: Disposition Chain WITHDRAWAL, Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers, Case 05-CA-138048

Steve,

This is a withdrawal anticipating a re-file. Since there's no merit finding, I don't read the Coordinated Cases description for McDonald's cases as pertaining to such withdrawal requests, but we're certainly happy to contact Region 2 if that's necessary. I recommend approval.

--Sean

---

**From:** Cora, Cristina M.  
**Sent:** Thursday, October 23, 2014 10:11 AM  
**To:** Marshall, Sean R.  
**Subject:** Disposition Chain WITHDRAWAL, Case

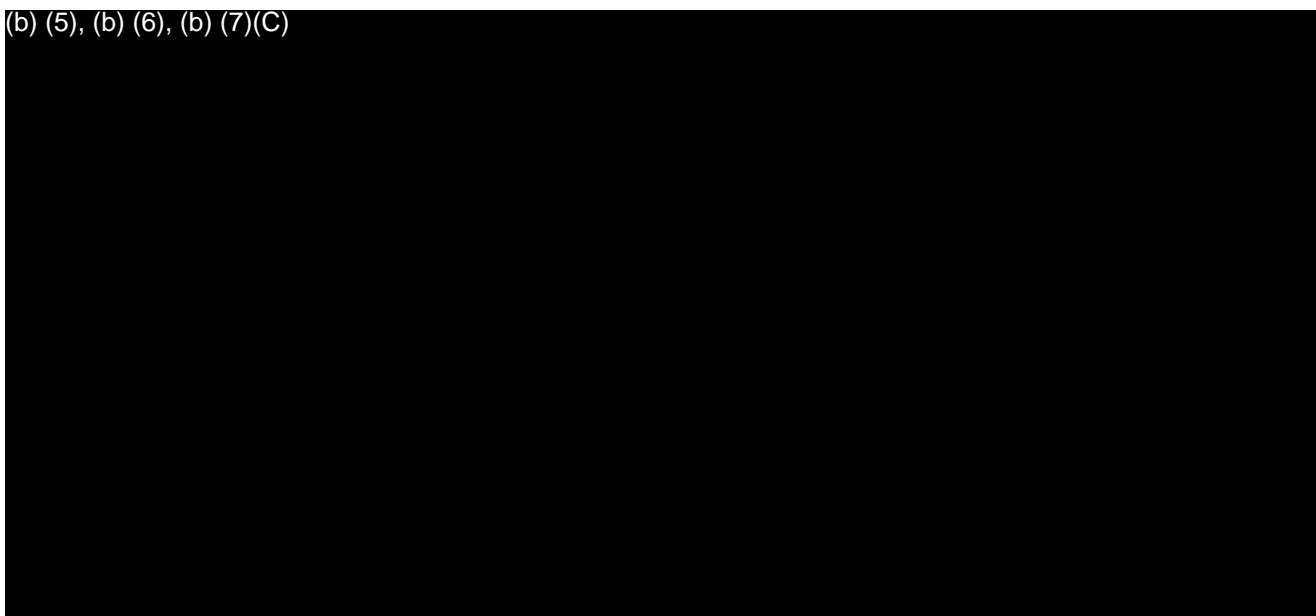
**WITHDRAWAL**

CASE NAME:	Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers
CASE NUMBER:	<a href="#">05-CA-138048</a>
SCOPE: Full	If Partial, Allegations disposed of by this action: Allegations Remaining:
Date of issuance of Withdrawal Letter:	

-

Withdrawal Options:    Non-adjusted    Written

(b) (5), (b) (6), (b) (7)(C)



Checklist:

- ☒ My LOG is updated in NxGen. (Link [LOG](#) LOG)
- ☒ All Notices of Appearance, including e-mail correspondence, have been uploaded into NxGen.
- ☒ The Participant List accurately reflects all appearances.

Routing Instructions:            Full - Agent - Supe - ARD - RD Sec. - OM - Typing Pool - RD Sec. - RD - Typing Pool

Typist will save e-mail chain as:    **FIR.05-xx-xxxxxx.chain approving- ~~Full~~ -Withdrawal**

Case Name: Holeman Enterprises d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers  
Case No.: 05-CA-138048  
Agent: Field Attorney Cristina M. Cora

**CASEHANDLING LOG**

Date	Person Contacted	Method of Contact	Description of Contact or Activity
10/06/14	Sharon Cohen	Phone	Received a message from Ms. Cohen, she is representing the Charged Party in this matter. She wanted to know if I can forward her a copy of the charge. I emailed her a copy of the charge and letter to Charged Party (See NxGen).
10/06/14	Virginia Diamond	Phone	Left a msg for Ms. Diamond, who is the attorney representing Charging Party. I need (b) (6) [REDACTED]
10/06/14	Lauren Bonds	Phone	Ms. Lauren Bonds will be handling this charge. I advised her that she needs to file a Notice of Appearance or send me an email stating that she is working with Ms. Diamond and is handling the matter. Please see MMZ regarding Initial conversation. I asked (b) (6), (b) (7)(C), (b) (7)(D) [REDACTED] She said she will call me back.
10/10/14	Lauren Bonds	Phone	I called Bonds to follow up on witness availability. She did not pick up and does not have a voicemail. I sent Bonds an e-mail. Please see NxGen.
10/10/14	Lauren Bonds	Phone	Bonds called me back. She said that (b) (6), (b) (7)(C), (b) (7)(D) [REDACTED] is available (b) (6), (b) (7)(C), (b) (7)(D) [REDACTED] said (b) (6), (b) (7)(C) spoke to the organizer and that (b) (6), (b) (7)(C) can talk about McDonald's disciplinary procedures. (b) (6), (b) (7)(C) has (b) (6), (b) (7)(C) [REDACTED] is going to confirm if they both can do their affidavits on (b) (6), (b) (7)(C) in (b) (6), (b) (7)(C) [REDACTED] She told me she thought she emailed me a NOA, but she will do it again.

Date	Person Contacted	Method of Contact	Description of Contact or Activity
			She thinks she spelled my last name wrong.
10/14/14	Lauren Bonds	Phone	Called Ms. Bonds and it appears I have the wrong phone number. I e-mailed her to find out her correct number, and to confirm the dates for the affidavits. Need to find out if I can speak to witnesses directly. I also need to remind her to send me NOA.
10/14/14	Lauren Bonds	Phone	Lauren called me back. She said she is still trying to reach (b) (6), (b) (7)(C) but she thinks (b) (6), (b) (7)(C) will be available (b) (6), (b) (7)(C). She said she going to try and find out if the union hall in (b) (6), (b) (7)(C) is available to take the affidavits. (b) (6), (b) (7)(C) is available (b) (6), (b) (7)(C). I told her to tell me asap because I need to make travel arrangements. Her number is 202-230-7149.
10/14/15	Bonds	E-Mail	Please see NxGen. Bonds advised that affiants are not available. She will provide me new dates.
10/16/14	Virginia Diamond	Phone	Spoke to Ms. Diamond and she confirmed that Ms. Bond and her are both working together on this charge, and that I can speak to directly to Ms. Bonds. I sent Ms. Diamond an e-mail confirming this. Please see NxGen.
10/17/14	Virginia Diamond	E-Mail	Sent Ms. Diamond an e-mail asking if I can take (b) (6), (b) (7)(C) affidavit on (b) (6), (b) (7)(C), (b) (7)(D), and if she would like to be present. She said yes, and she will not be there. Please see Nx Gen e-mail.
10/17/14	Virginia Diamond and Lauren Bonds	E-mail	Sent Diamond and Bonds an affidavit appointment confirmation letter. Please see NxGen.
10/21/14	Lauren Bonds	Phone	Bonds called me to tell me that (b) (6), (b) (7)(C) schedule was changed and she can no longer meet me at (b) (6), (b) (7)(C). She told me she can meet me (b) (6), (b) (7)(C). I told her that we can still meet at (b) (6), (b) (7)(C). She confirmed that (b) (6), (b) (7)(C) will meet me at the (b) (6), (b) (7)(C). I told her to ask (b) (6), (b) (7)(C).

Date	Person Contacted	Method of Contact	Description of Contact or Activity
			(b) (5), (b) (6), (b) (7)(C)
10/22/14	Lauren Bonds	Email/Phone	<p>Received an e-mail from Bonds at 2:00 am (Please see NxGen) stating that (b) (6), (b) (7)(C) and will not make it to the affidavit and (b) (6), (b) (7)(C) wants to withdraw. I called Bonds at 10:00 am and asked her why does (b) (5), (b) (6), (b) (7)(C) want to withdraw. Bonds said that (b) (6), (b) (7)(C) told her (b) (6), (b) (7)(C) did not want to (b) (6), (b) (7)(C), and that (b) (6), (b) (7)(C). Bonds said (b) (5), (b) (6), (b) (7)(C). Bonds said she knows we have time restraints and that she is willing to withdraw. I told her I will speak to my supervisor. Spoke to Sean and I advised her accordingly. She will withdraw and re-file the charge</p>



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

November 4, 2014

Doreen S. Davis, Esq.  
Michael S. Ferrell, Esq.  
Andrew G. Madsen, Esq.  
Joshua Grossman, Esq.  
Jones Day  
222 East 41<sup>st</sup> St.  
New York, NY 10017-6702

Re: Holeman Enterprises d/b/a McDonald's &  
McDonald's Corp. as Joint and Single  
Employers  
Case 05-CA-138048

Dear Ms. Davis, Mr. Ferrell, Mr. Madsen and Mr. Grossman:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc: See Page 2

cc: (b) (6), (b) (7)(C)  
Southern Workers Organizing Committee  
324 S. Wilmington St., Ste. 207  
Raleigh, NC 27601

Lauren Bonds, Esq.  
Security Employees International Union  
1800 Massachusetts Ave., N.W.  
Washington, DC 20036

Virginia Diamond, Esq.  
Ashcraft & Gerel, LLP  
4900 Seminary Rd., Ste. 650  
Alexandria, VA 22311

(b) (6), (b) (7)(C)  
Holeman Enterprises  
2011 Chamberlayne Ave.  
Richmond, VA 23222

Ms. Gloria Santona  
McDonald's Corp.  
2111 McDonald's Dr.  
Oak Brook, IL 60523